

Webcast: The False Claims Act – 2021 Update for Financial Services

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First of four industry-specific programs

The False Claims Act (FCA) is one of the most powerful tools in the government's arsenal to combat fraud, waste, and abuse involving government funds. After several years of statements and guidance indicating that the Department of Justice (DOJ) might alter its approach to FCA enforcement, the Biden Administration appears to be taking a different, more aggressive approach. Meanwhile, newly filed FCA cases remain at historical peak levels, and the government has recovered nearly \$3 billion or more annually under the FCA for a decade. The government also continues to pursue new, large spending projects in COVID-related stimulus and infrastructure—which may bring yet more vigorous efforts by DOJ to pursue fraud, waste, and abuse in government spending. As much as ever, any company that receives government funds—especially in the financial services sector—needs to understand how the government and private whistleblowers alike are wielding the FCA, and how they can defend themselves.

Please join us to discuss developments in the FCA, including:

- The latest trends in FCA enforcement actions and associated litigation affecting financial services;
- Updates on the Biden Administration's approach to FCA enforcement, including developments impacting DOJ's use of its statutory dismissal authority;
- New proposed amendments to the FCA introduced by Senator Grassley; and
- The latest trends in FCA jurisprudence, including developments in particular FCA legal theories affecting your industry and the continued evolution of how lower courts are interpreting the Supreme Court's *Escobar* decision.

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PANELISTS:

F. Joseph Warin is a partner in the Washington, D.C. office, chair of the office's Litigation Department, and co-chair of the firm's White Collar Defense and Investigations practice group. His practice focuses on complex civil litigation, white collar crime, and regulatory and securities enforcement – including Foreign Corrupt Practices Act investigations, False Claims Act cases, special committee representations, compliance counseling and class action civil litigation.

James Zelenay is a partner in the Los Angeles office where he practices in the firm's Litigation Department. He is experienced in defending clients involved in white collar investigations, assisting clients in responding to government subpoenas, and in government civil fraud litigation. He also has substantial experience with the federal and state False Claims Acts and whistleblower litigation, in which he has represented a breadth of industries and clients, and has written extensively on the False Claims Act.

Related People

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Casey Kyung-Se Lee is a senior associate in the New York office and a member of the firm's White Collar Defense and Investigations, and Litigation Practice Groups. Mr. Lee's practice focuses on representing clients in litigation and investigations involving the federal government. Mr. Lee rejoined Gibson Dunn in 2020 after serving as an Assistant United States Attorney in the Civil Division of the U.S. Attorney's Office for the Southern District of New York, where he investigated allegations of fraud against the United States under the False Claims Act, Anti-Kickback Statute, and other statutes.

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